

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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2008 JUN 30 A 10:41

JENNIFER P. CLARK,
PLAINTIFF,

V.

JASON J. DEAL AND
E. PAUL STANLEY,
DEFENDANTS.

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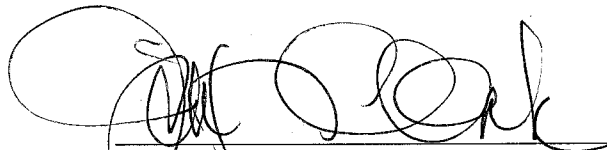
2:08-CV-173-MHT

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

NOTICE OF FILING

COMES NOW, the Plaintiff in the above-styled action, and
gives notice of filing of a newspaper article involving
defendant Deal wherein defense counsel ^{in a separate case} seeks Deal's recusal via
sealed motion.

Respectfully submitted,



JENNIFER P. CLARK (CLA075)
Plaintiff, Pro Se
222 Dearborn Street, South
Mobile, Alabama 36602
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CERTIFICATE OF SERVICE

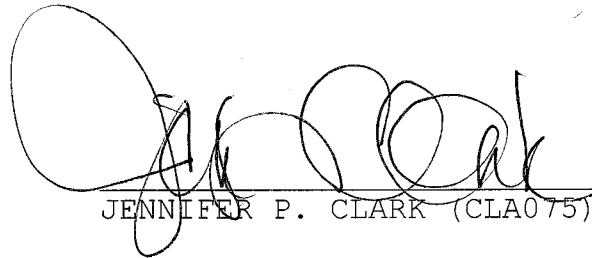
I hereby certify that I have served a true and correct copy
of the foregoing Notice of Filing upon opposing counsel at the
following addresses this 30th day of June, 2008, via U.S. Mail,
first-class postage prepaid.

Hawkins & Parnell, LLP
ATTN: Christopher Collier

4000 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 30308

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ATTN: Robert Edwards
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415 Dexter Avenue
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JENNIFER P. CLARK (CLA075)

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Death defendant wants judge recused

Motion filed under seal

Lawyers for a teen facing the possibility of the death penalty want the presiding judge off the case, though their reasons remain unknown to the public.

A motion was filed under seal Friday in Hall County Superior Court in the case of Alan Robert Dickie, a Maryland 19-year-old charged with rape and murder.

Jason Deal, the superior court judge who was selected to preside over the case by a random drawing, placed the motion filed by Dickie's attorneys under seal Friday, then issued an order three hours later that referenced it as a motion to recuse, court documents show.

Deal transferred the matter to Hall County Chief Superior Court C. Andrew Fuller. It was not known Friday when Fuller might hold a hearing on the motion.

Doug Ramsuer, Dickie's lead defense attorney, acknowledged Friday that he filed a motion under seal but declined to say what it concerned.

The defense motion was not the first in Dickie's case to be filed under seal, which prevents public view.

"I filed it under seal because I felt like I was required to do that because of other things that were filed under seal," Ramsuer said.

District Attorney Lee Darragh filed notice of intent to seek the death penalty against Dickie in November.

Dickie was indicted on charges of murder, rape, kidnapping with bodily injury and aggravated sodomy in connection with the August 2007 stabbing death of 37-year-old Claudia Toppin.

Police have said Dickie, who was homeless, may have encountered Toppin at an area shelter.

Deal was selected as the presiding judge by the random drawing of a numbered Ping-Pong ball in a procedure intended to fairly distribute the labor-intensive death penalty cases among the Northeastern Judicial Circuit's four full-time judges. It was his first death penalty case since taking the bench in 2005.

Lawyers for another area death penalty defendant, Lynn Turner, unsuccessfully sought to have the presiding Forsyth County judge recused because the defendant's mother once worked for him.

A visiting senior judge heard Turner's motion and denied it. A jury later sentenced Turner, convicted of the poisoning deaths of two men, to life in prison without parole.

<http://www.gainesvilletimes.com/news/article/6716>